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March 28, 2007

**BY HAND**

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
c/o Natek, Inc.  
236 Massachusetts Avenue, N.E.  
Suite 110  
Washington, DC 20002

**FILED/ACCEPTED**  
**MAR 28 2007**  
Federal Communications Commission  
Office of the Secretary

**Re: Supplement to Consolidated Opposition to Petitions to Deny**  
**M2Z Networks, Inc., Application for License and Authority to**  
**Provide National Broadband Radio Service**  
**In the 2155-2175 MHz Band, WT Docket No. 07-16**  
**M2Z Networks, Inc., Petition for Forbearance Under**  
**47 U.S.C. § 160(c) Concerning Application of Sections 1.945(b)**  
**And (c) of the Commission's Rules and Other Regulatory and**  
**Statutory Provisions, WT Docket No. 07-30**

Dear Ms. Dortch:

Enclosed on behalf of M2Z Networks, Inc. ("M2Z") is a supplement to the Consolidated Opposition of M2Z Networks, Inc. to Petitions to Deny ("Opposition"), filed on March 26, 2007.

On March 26, 2007, copies of the affidavits of Jeffrey G. Burgan, Kevin H. Lo, and Milo S. Medin were filed as part of Attachment C of the Opposition. The original affidavits are now available and are attached hereto as a supplement to the previous filing.

No. of Copies rec'd 015  
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SHEPPARD MULLIN RICHTER & HAMPTON LLP

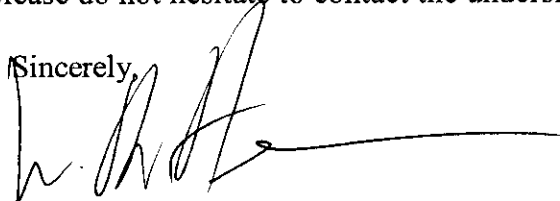
Ms. Marlene Dortch

March 28, 2007

Page 2

If you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Kenneth Ferree", with a long horizontal flourish extending to the right.

W. Kenneth Ferree

Erin L. Dozier

Christopher G. Tygh

**SHEPPARD MULLIN RICHTER & HAMPTON LLP**

1300 I Street, NW

11th Floor East

Washington, DC 20005

(202) 218-0000

*Counsel for M2Z Networks, Inc.*

Enclosures

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
M2Z NETWORKS, INC.	)	
	)	
Application for License and Authority to	)	WT Docket No. 07-16
Provide National Broadband Radio Service	)	
In the 2155-2175 MHz Band	)	
	)	
Petition for Forbearance Under	)	WT Docket No. 07-30
47 U.S.C. § 160(c) Concerning Application of	)	
Sections 1.945(b) and (c)	)	
Of the Commission's Rules and Other	)	
Regulatory and Statutory Provisions	)	
	)	

**AFFIDAVIT OF JEFFREY G. BURGAN  
IN SUPPORT OF OPPOSITION OF M2Z NETWORKS, INC.  
TO PETITIONS TO DENY**

I, Jeffrey G. Burgan, do hereby declare under penalty of perjury the following:

1. I am the Vice-President of Engineering of M2Z Networks, Inc. ("M2Z").
2. I am responsible for engineering and designing the overall architecture of M2Z's nationwide wireless broadband IP network. I am sufficiently qualified for such duties. I am a graduate of the University of Maryland, Baltimore County with a B.S. in Computer Science, and I have nearly twenty-five years of experience in designing, managing and implementing networks. This experience, which is detailed below, relates directly to my work with M2Z Networks.
3. Prior to joining M2Z, I served as a consultant for various companies in the networking and telecommunication field focusing on technology, product planning and strategies. In this capacity, I also worked with broadband Internet Service Providers ("ISPs"), assisting them with network architecture and interconnection strategies, as well as vendor and equipment selection.
4. Previously, I was Senior Director of Backbone Engineering at Excite@Home. There, I was responsible for the overall architecture and engineering for the company's nationwide IP backbone network. I established and led the team responsible for the architecture and implementation of the @Home nationwide IP

optical network, and I was responsible for the ongoing engineering and operational support of the network. I also led the team which orchestrated the transition from an ATM network to an OC-48 optical network. In addition, I was responsible for network scalability and backbone traffic planning and engineering, which included managing the relationships and engineering the "peering" connections with other ISPs.

5. I worked for Bay Networks for two years, where I managed the software engineering group responsible for the design and development of the router software, which was customized for ISPs. In addition, I participated in the definition and architecture of enhancements to the router software specifically for the ISP market.
6. I worked for Sterling Software for six years at the NASA Ames Research Center, where I was responsible for the architecture and engineering of the NASA Science Internet, an international multi-protocol network. I was responsible for defining the routing architecture and engineering the growth of the network which consisted of over 200 routers. Moreover, I participated on the Federal Engineering Planning Group which coordinated network planning and interconnection among the various US Federal agency backbone networks. During this time, I was an active member of the Internet Engineering Task Force (IETF), with an emphasis on routing protocols and operational issues concerning the Internet.
7. Aside from heading the network engineering efforts at M2Z, I have previously, and currently serve on the technical advisory boards of several start-up companies. In addition, I served for three years (April 1996 through March 1999) as a member of the IETF Internet Engineering Steering Group (IESG) as an Internet Area Director.

Signature: \_\_\_\_\_

Jeffrey C. Burgan  
Vice-President, Engineering  
M2Z Networks, Inc.  
2800 Sand Hill Road  
Suite 150  
Menlo Park, CA 94025

Date: \_\_\_\_\_

3/26/2007

Subscribed and sworn to before me this 26th day of March, 2007.

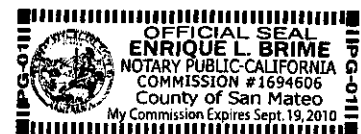
Notary Public: \_\_\_\_\_

My Commission expires: \_\_\_\_\_

09-19-10

Residing at: \_\_\_\_\_

Redwood City, CA



**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
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Sections 1.945(b) and (c)	)	
Of the Commission's Rules and Other	)	
Regulatory and Statutory Provisions	)	
	)	

**AFFIDAVIT OF KEVIN H. LO  
IN SUPPORT OF OPPOSITION OF M2Z NETWORKS, INC.  
TO PETITIONS TO DENY**

I, Kevin H. Lo, do hereby declare under penalty of perjury the following:

1. I am the General Manager of M2Z Networks, Inc. ("M2Z").
2. I am responsible for implementing and operating M2Z's suite of nationwide wireless broadband IP services to consumers, either directly or through business partnerships I helped develop. I am sufficiently qualified for such duties. I have an AB from Harvard University and have 13 years of experience in operating technology businesses. This experience, which is detailed below, relates directly to my work with M2Z Networks.
3. Prior to joining M2Z, between 2004 and 2006, I was the managing partner of K5 Systems Inc. where I led a consortium of private equity investors and pension funds in evaluating and investing in On-Demand software companies who deliver their software as an integrated service, inclusive of the networks and management of these networks, to consumers.
4. Between 2000 and 2004, I was the CFO and COO of NaviSite (NASDAQ: NAVI) where I led the successful turnaround of the Internet and applications service provider and the stock price from a low of \$0.80 to \$8.00 at the end of my tenure. As CFO, I led a \$65M refinancing of the company, designed and implemented a

restructuring plan that took the company from losing \$200M/year to profitability, fixed the operational issues that significantly improved key performance and customer satisfaction metrics, and then guided the company through acquisitions and integrations of 5 market competitors. I managed all day-to-day operations of the company including service delivery and customer support, data center and network operations for a nationwide footprint, product management, sales, marketing and R&D functions. During my tenure as COO, I successfully led the 800+ person company through 4 major integration efforts in which the company more than tripled in size in revenues and number of customers.

5. From 1997 to 2000, I was the founder and CEO of X-Collaboration Software Corp (XCSC), an Application Service Provider that sold its award winning collaboration applications to Enterprise customers like Kodak, Pepsi, Fidelity and HP. As the CEO, I led the software design and development efforts, built and operated our IP network, and managed the delivery of service to our customer base. XCSC was acquired by Progress Software (NASDAQ: PRGS) in 2000.
6. Beginning in 1993 and through 1997, I was a strategy consultant at Bain & Company where I built an expertise in the software, telecommunications and public utility industries and worked on corporate strategy, operational improvement and turnaround situations for major clients.
7. Aside from being responsible for M2Z's overall product management and business development efforts at M2Z, I currently serve on the board of directors and board of advisors of several technology ventures, companies and non-profit organizations.

Signature: \_\_\_\_\_

Kevin H. Lo  
General Manager  
M2Z Networks, Inc.  
2800 Sand Hill Road  
Suite 150  
Menlo Park, CA 94025

Date: \_\_\_\_\_

3/26/07.

Subscribed and sworn to before me this 26th day of March, 2007.

Notary Public: \_\_\_\_\_

My Commission expires: \_\_\_\_\_

09-19-10

Residing at: \_\_\_\_\_

Redwood City, Ca.



**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
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Of the Commission's Rules and Other	)	
Regulatory and Statutory Provisions	)	
	)	

**AFFIDAVIT OF MILO S. MEDIN  
IN SUPPORT OF OPPOSITION OF M2Z NETWORKS, INC.  
TO PETITIONS TO DENY**

I, Milo S. Medin, do hereby declare under penalty of perjury the following:

1. I am the co-founder, Chairman, and Chief Technology Officer of M2Z Networks, Inc. ("M2Z"). I am also a member of the State of California's Broadband Taskforce to which I was appointed by the California Governor in December 2006.
2. I am responsible for the overall design, implementation and deployment of the advanced wireless technology upon which M2Z Networks' nationwide wireless broadband service is based. I am sufficiently qualified to implement such a system. I studied Computer Science at the University of California at Berkeley. Furthermore, I have 20 years of experience in designing, developing and implementing high-speed data networks. This experience, which is directly relevant to my current endeavors with M2Z, is detailed below.

3. For a few years prior to founding M2Z Networks in 2005, I operated a consulting practice, Medin Consulting. My consulting efforts included advising a large enterprise client on strategic network and security architecture and design. In addition, I was and still am a member of Technet's Broadband Task Force, and I participated in public policy and industry initiatives to increase the availability and speed of broadband services. In 2005, I was awarded Pulver Media's first Peripheral Visionary Award for my pioneering work in the development of the Internet and Broadband.
4. In 1995, I co-founded @Home Network, a company that pioneered the deployment of a nationwide cable modem service. In my capacity as Chief Technology Officer, I designed @Home's broadband service architecture and overall product specifications, and worked with cable carriers and equipment manufacturers to establish the technology standards for the cable broadband industry. I led @Home Network's engineering team, which grew the network from inception to almost four million operational subscribers, 800 POPs, 26 datacenters, and two NOCs across North America, Japan, and Europe, and through multiple product rollouts and revisions. In addition, I led the implementation of a comprehensive security architecture over the entire network infrastructure. During my tenure with @Home Network, I also led public policy initiatives on open access and testified before several Congressional committees and before the Federal Communications Commission. Moreover, I participated on two National Academy of Sciences panels, "Committee to Study Tools and Strategies for Protecting Kids from Pornography and Their Applicability to Other Inappropriate Internet Content" and "Committee on the Internet in Evolving Information Infrastructure".
5. Before founding @Home, I served as a Project Manager at the NASA Ames Research Center. There, I managed the NASA Science Internet Project Office, which deployed a core Federal network that connected 200 sites in 16 countries and six continents, including Antarctica. Additionally, I led the design and implementation of MAE-West, the primary west coast Internet interconnect, and participated on a federal panel on network protocol standards and protocols that designated TCP/IP a co-standard with ISO protocols. I also participated in the development of many Internet Protocol standards, such as OSPF and BGP.
6. From 1987 to 1991, I was a System Analyst with Sterling Software, where I supported networking programs at NASA's Ames Research Center, and led the design and implementation of FIX-West, the primary west coast Federal Internet interconnect. I also provided architectural design and implementation support for the Pilot Land Data System network, and helped develop an Internet protocol-based center-wide Email system.



Signature: Milo S. Medin  
Milo S. Medin  
Chairman and Chief Technology Officer  
M2Z Networks, Inc.  
2800 Sand Hill Road  
Suite 150  
Menlo Park, CA 94025

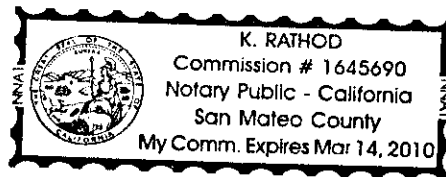
Date: 3/26/2007

**Subscribed and sworn to before me this 26th day of March, 2007.**

Notary Public: K. Rathod

My Commission expires: 03/14/2010

Residing at: 570 El Camino Real #150  
PAC, CA - 94065



## CERTIFICATE OF SERVICE

I, Erin L. Dozier, an attorney in the law office of Sheppard Mullin Richter & Hampton, LLP, hereby certify that I have on this 28th day of March 2007 caused a copy of the foregoing supplement to the Consolidated Opposition of M2Z Networks, Inc. to Petitions to Deny to be delivered by first-class mail to the following:

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Information Technology Industry Council  
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Washington, DC 20005  
*Counsel to Open Range Communications, Inc.*

In addition, courtesy copies of the foregoing Consolidated Opposition of M2Z Networks, Inc. to Petitions to Deny were delivered by hand upon the following:

Chairman Kevin J. Martin  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Rm. 8-B201  
Washington, D.C. 20554

Daniel Gonzalez, Chief of Staff  
Office of Chairman Kevin J. Martin  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Rm. 8-B201  
Washington, D.C. 20554

Erika Olsen, Acting Legal Advisor  
Office of Chairman Kevin J. Martin  
Federal Communications Commission  
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Washington, D.C. 20554

Commissioner Michael J. Copps  
Federal Communications Commission  
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John Branscome, Acting Legal Advisor  
Office of Commissioner Michael J. Copps  
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Office of General Counsel  
Federal Communications Commission  
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Washington, D.C. 20554

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Wireless Telecommunications Bureau  
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Cathy Massey  
Wireless Telecommunications Bureau  
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Washington, D.C. 20554

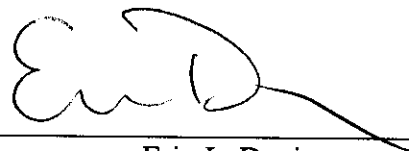
Peter Daronco  
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Jennifer Tomchin  
Wireless Telecommunications Bureau  
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445 12<sup>th</sup> Street, S.W., Rm. 3-C250  
Washington, D.C. 20554

A handwritten signature in black ink, appearing to read 'Erin L. Dozier', written over a horizontal line.

Erin L. Dozier